

Judicial Administration Committee  
Judicial Conference of Indiana

**Minutes**  
August 12, 2005

The Judicial Administration Committee of the Judicial Conference of Indiana met at the Indiana Judicial Center on Friday, August 12, 2005 from 10:00 a.m. – 2:00 p.m.

1. Members present. Thomas P. Boyer, Daniel F. Donahue, Tanya Walton Pratt, Michael A. Shurn and P. Thomas Snow, Chair Pro Tem.
2. Staff present. Jeffrey Bercovitz provided the committee with staff assistance.
3. Minutes approved. The minutes for the committee on July 8, 2005 were approved.
4. Deskbook for judges to manage *pro se* litigation.
  - a. Committee members revised “Rule to Show Cause Hearing” and “Dialogue For Rule To Show Cause Hearing Re: Indigency” by Magistrate Boyer.
  - b. Members of the committee agreed to include the “Contempt - Quick Reference Checklist, 70.01” and place it in the deskbook.
  - c. Committee members reviewed and revised the previously submitted material from Magistrate Boyer, including, “Request for Appointment Of Pauper Counsel: Civil Action (Excluding Contempt), “Dialogue Re: Request For Appointment of Counsel (Civil Case)” and “Incarcerated Pro Se Litigants.”
  - d. Judge Pratt distributed Prisoner/Inmate litigation forms for use by courts. She agreed to distribute additional materials and include the definition of offender at the October 7 meeting. Mr. Bercovitz agreed to (1) Copy Ind. Code 32-28-13 *et seq.* concerning filing and release of “common law liens.” They may be frivolous and filed by pro se litigants and (2) revise forms submitted by Judge Pratt to remove county identification.
5. Next meeting.
  - a. Committee members agreed to review the following at future meetings:
    - (1) Additional Prisoner/Inmate materials from Judge Pratt
    - (2) Small claims section from Judge Love
    - (3) Mortgage foreclosure/debt collection from Judge Horn
    - (4) Family member seeking guardianship *pro se* and Insurance Co. setting up a guardianship for minor settlement from Judge Snow
    - (5) Adoption - recent past records inquiries, genealogy from Judge Welch

See Attachment No. 1 for committee member assignments.

- b. The committee agreed to hold future meetings on the following dates: October 14, 2005, from 10:00 a.m. - 4:00 p.m. at the Indiana Judicial Center. There will be no November 11 meeting.

Respectfully submitted,

Jeffrey Bercovitz, Director  
Juvenile and Family Law

**Assignments: Benchbook for Judicial Officers:  
Administration Of Cases With Pro Se Litigants**

**Introduction**

Completed 8/13/04	Introduction/General considerations	J. Proffitt, Chair
-------------------	-------------------------------------	--------------------

**Civil**

Completed 2/11/05	(1) <u>Domestic Relations</u> Initial dissolution, post-dissolution matters, letters and third-party correspondence, Final hearing, custody, change of residence, parenting time, other	J. Eldred and J. Willis
-------------------	--	-------------------------

(2)	<u>Small claims</u>	J. Love
-----	---------------------	---------

(3)	<u>Mortgage foreclosure/debt collection</u>	J. Horn
-----	---	---------

(4)	<u>Mental Health</u>	
-----	----------------------	--

Family member seeking guardianships – <i>pro se</i>	J. Snow
Ins. Co. sets up guardianship for minor settlement	J. Snow

Completed 7/08/05	Civil commitments generally	J. Donahue
-------------------	-----------------------------	------------

Completed 3/11/05	(5) <u>Paternity, probate</u>	J. Shurn
-------------------	-------------------------------	----------

Completed 2/11/05	(6) <u>General civil</u>	
Revised 8/12/05	Refer to forms on Self-Service Website	Committee
Revised 8/12/05	Request for Appt. of Pauper Attney. In Civil Action	Mag. Boyer
	Dialogue for Request For Appt. of Counsel In Civil Action	Mag. Boyer

Revised 8/12/05	Incarcerated Pro Se Litigants In Civil Action Case Discussion	Mag. Boyer
-----------------	---	------------

Completed 7/08/05	Inquiry/Advice Regarding Self-Representation	J. Donahue
-------------------	--	------------

BMV – lost title, hardship license	J. Welch
------------------------------------	----------

Drafted 2/11/05	Adoption – recent past records inquiries, genealogy	J. Welch
-----------------	---	----------

Completed 8/12/05	(7) <u>Contempt</u> Rule To Show Cause Hearing If Indigent Dialogue For Rule to Show Cause Hearing If Indigent	Mag. Boyer Mag. Boyer
-------------------	--	--------------------------

**Criminal**

(1)	<u>Misdemeanor, D Felony <i>pro se</i> representation</u> Pro se jury trial, dialogues, other	J. Fleece
-----	--	-----------

(2) Prisoner/Inmate litigation J.Pratt, J. Murray, LaPorte Co. contact

*Drafted 8/12/05*

"

Ind. Code 34-58-1 Screening of Offender Litigation

"

Checklist New Paternity Cases

"

Order To DOC For Report Of Defendant's Conduct  
While Incarcerated

"

Order Appointing State Public Defender

"

Denial of Request For Modification of Sentence

Under Ind. Code 35-38-1-17 (a)

"

Denial of Request For Modification of Sentence

Under Ind. Code 35-38-1-17 (b)

"

Order Dismissing Petition For Post Conviction  
Relief

"

Order Setting Pro Se PCR Hearing

"

Order Setting Hearing On Petition And Modification  
Of Sentence and Order To Transport

"

Order Granting Expungement of Arrest Record  
Under Ind. Code 35-38-5 *et. seq.*

Inmate as civil litigant – visitation, tort claims;  
name changes, paternity, dissolution; criminal claims:  
PCR's, credit time, modification, expungement;  
civil rights claims, extradition requests

*Submitted 7/08/05*

(3)

Clerk chapter

J. Proffitt

Information For *Pro Se* Litigants Concerning

J. Proffitt

Dissolution of Marriage Action

*Completed 7/08/05*

Notice to *pro se* litigants on service

J. Horn